



688-20)

08/358474

A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
REQUEST FORM FOR FILING CONTINUING APPLICATION  
UNDER 37 C.F.R. §1.60

#4/a  
JRP  
9/30/95

Docket Number 0311.48526  
Anticipated Classification Of This Application:  
Class \_\_\_\_\_ Subclass \_\_\_\_\_

Prior Application: 07/944,739  
Examiner Jordan  
Art Unit 1205

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

This is a request for filing a: ☐ continuation ☒ divisional  
application under 37 C.F.R. §1.60 of prior Application Serial No. 07/944,739, filed on September 14, 1993  
entitled Microbial Oil Mixtures and Uses Thereof

Full Name of Inventor	Family Name <b>KYLE</b>	First Given Name <b>David</b>	Second Given Name <b>J.</b>
Residence & Citizenship	City <b>Catonsville</b>	State or Foreign Country <b>Maryland 21228</b>	Country of Citizenship <b>Canada</b>
Post Office Address	Post Office Address <b>1801 Narbeth Road</b>	City <b>Catonsville</b>	State & Zip Code/Country <b>Maryland 21228 U.S.A.</b>

☐ See attached sheet for additional named inventors.

- ☒ Enclosed is a true copy of the prior application as originally filed, including the oath or declaration.
- ☐ A Preliminary Amendment is enclosed.
- ☒ Cancel in this application original claims 1-20, 30-33, 59, 63 and 65 of the prior application before calculating the filing fee. At least one original independent claim is retained.
- ☒ The filing fee is calculated on the basis of the claims existing in the prior application as mentioned at 1, 2 and 3 above.

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS	39 - 20=	19	x\$ 22.00 =	\$ 418.00
INDEPENDENT CLAIMS	06 - 3=	3	x\$ 76.00 =	228.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+\$240.00 =	-0-
			BASIC FEE	+\$730.00
			TOTAL OF ABOVE CALCULATIONS=	1,376.00
REDUCTION BY 1/2 FOR FILING BY SMALL ENTITY (Note 37 C.F.R. 1.9, 1.27, 1.28). IF APPLICABLE, VERIFIED STATEMENT MUST BE ATTACHED				- 688.00
			TOTAL=	\$ 688.00

- ☒ The Commissioner is hereby authorized to charge fees under 37 C.F.R. §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 19-0733.
- ☒ A check in the amount \$ 688.00 is enclosed. In the event any variance exists between the amount enclosed and the Patent Office charges, please charge or credit any difference to Deposit Account No. 19-0733.

A

7. ☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.60(b), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application.

8. ☒ Amend the specification by inserting before the first line the sentence:

— This application is a division of application Serial No. 07/944,739, filed September 14, 1993, <sup>new U.S. Patent No. 5,374,657,</sup> which is a File Wrapper Continuation of 07/645,457, filed January 24, 1991, now abandoned. —

9. ☒ A verified statement claiming small entity status was filed in prior Application Serial No. 07/645,457 filed January 24, 1991. (A copy of which is attached.)

10. ☐ Priority of Application No. \_\_\_\_\_, filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. §119.

☐ A certified copy was filed in prior Application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.

11. ☒ The prior application is assigned of record to Martek Corporation.

12. ☒ The power of attorney in the prior application is to Banner, Birch, McKie & Beckett, Eleventh Floor, 1001 G Street, N.W., Washington, D.C. 20001-4597. Donald W. Banner, Registration No. 17,037; Harold J. Birch, Registration No. 16,527; Edward F. McKie, Jr., Registration No. 17,335; William W. Beckett, Registration No. 18,262; Dale H. Hoscheit, Registration No. 19,090; Joseph M. Potenza, Registration No. 28,175; Alan I. Cantor, Registration No. 28,163; James A. Niegowski, Registration No. 28,331; Barry L. Grossman, Registration No. 30,844; and Joseph M. Skerpon, Registration No. 29,864; Thomas L. Peterson, Registration No. 30,969; Nina L. Medlock, Registration No. 29,673; William J. Fisher, Registration No. 32,133; Thomas H. Jackson, Registration No. 29,808; Sarah A. Kagan, Registration No. 32,141; and Laurence H. Posorske, Registration No. 34,698.

13. ☒ Also enclosed: Copies of Revocation and Power of Attorney filed in parent application Serial No. 07/944,739.

14. ☒ Address all future communications to:

Banner, Birch, McKie & Beckett  
Eleventh Floor  
1001 G Street, N.W.  
Washington, D.C. 20001-4597  
(202) 508-9100

The undersigned further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the applications or any patent issuing thereon.

Dated: Dec. 19, 1994

By: Laurence H. Posorske

Laurence H. Posorske  
Registration No. 34,698  
Banner, Birch, McKie & Beckett  
Attorneys of Record

LAW OFFICES  
BANNER, BIRCH, McKIE & BECKETT  
1001 G STREET, N.W.  
ELEVENTH FLOOR  
WASHINGTON, D.C. 20001-4597